

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

JNS POWER & CONTROL SYSTEMS, INC.,)
an Illinois Corporation,)
Plaintiff,) Case No. 13 CV 4020
v.) Hon. Robert M. Dow
350 GREEN, LLC, a Virginia limited)
liability company,)
Defendant.)

AFFIDAVIT OF AMBER ACHILLES RITTER

I, Amber Achilles Ritter, who being first duly sworn, deposes and states as follows:

1. That I am Senior Counsel with the City of Chicago Department of Law, Aviation, Environmental, Regulatory and Contracts Division and have been an attorney with the City of Chicago since 2003.
2. That I am familiar with the First Amended Grant Agreement between the City of Chicago and the Department of Energy and 350 Green LLC from October 18, 2010 to December 31, 2013, Award No. DE-EE0002541 (“Grant Agreement”) and have personal knowledge of the facts contained herein.
3. That 350 Green has failed to perform the Grant Agreement per the terms of its contract and is presently in default.
4. That the U.S. Department of Energy’s deadline to fulfill the terms of the Grant Agreement, as of today’s date, is December 31, 2013.
5. That time is of the essence in that the project must be completed for the federal funds to be disbursed to reimburse the City of Chicago for the project.
6. That while the City of Chicago is a neutral party to this litigation, the City of Chicago is an interested party in seeing that the ownership of the electric vehicle chargers be expedited to fulfill the terms of the Grant Agreement.

7. That in my opinion in order for the work under the Grant Agreement to be completed by the deadline, the contractor who is to perform the completion must begin work as soon as possible.

FURTHER AFFIANT SAYETH NAUGHT.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing statements set forth in my affidavit are true and correct.

Executed on this 6th day of June, 2013.



Amber Achilles Ritter
Amber Achilles Ritter

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Plaintiff,) Case No. 13 CV 04020
v.)
350 GREEN, LLC, a Virginia limited)
liability company,)
Defendant.) Judge Robert M. Dow, Jr.

NOTICE OF FILING

To: See Attached Service List

PLEASE TAKE NOTICE that on **this 6TH day of June, 2013**, we filed with the Clerk of the United States District Court for the Northern District of Illinois, Eastern Division, **Plaintiff's Affidavit of Amber Achilles Ritter** in further support of **Plaintiff's Motion for Expedited Proceedings and Discovery**, a copy of which accompanies this notice and is herewith served upon you.

JNS POWER & CONTROL SYSTEMS,
INC.

By: s/ Evan J. Haim
One of Their Attorneys

Patrick E. Deady
Kelly McCloskey Cherf
Evan J. Haim
Hogan Marren, Ltd.
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Chicago, IL 60654
312-946-1800

CERTIFICATE OF SERVICE

I, Evan J. Haim, hereby certify that on this 6th day of June, 2013, and in accordance with the General Order on Electronic Case Filing (ECF), I served the foregoing **Plaintiff's Affidavit of Amber Achilles Ritter** upon the above-named individuals by electronic transmittal through the CM-ECF electronic filing system.

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/s/ Evan J. Haim